
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

**DAYCO FUNDING CORPORATION, a
California corporation,**

Plaintiff,

vs.

**SILVERLEAF FINANCIAL, LLC, a Utah
limited liability company; SILVERLEAF
FINANCIAL 8, LLC, a Utah limited
liability company; SHANE BALDWIN, an
individual; and SILVERLEAF FINANCIAL
7, LLC, a Utah limited liability company,**

Defendants.

**ORDER IN SUPPLEMENTAL
PROCEEDINGS**

Case No. 2:14MC10 DAK-DBP

This matter is before the court on the Magistrate Judge’s Report and Recommendation.¹ On January 7, 2014, Plaintiff Dayco Funding Corporation (“Dayco Funding”) registered a Foreign Judgment, and on May 13, 2014, it filed a Motion for Supplemental Proceedings.² This court referred the motion to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) to handle the Supplemental Proceedings.³ On June 10, 2014, the Magistrate Judge issued a Report and Recommendation, recommending, among other things, that the Motion for Supplemental

¹ Docket No. 4.

² Docket Nos. 1, 2.

³ Docket No. 3.

Proceedings be granted.⁴

On June 23, 2014, counsel for Dayco Funding filed a Certificate of Service, certifying that a copy of the Report and Recommendation had been mailed on that day to Shane Baldwin and Silverleaf Financial, LLC, Silverleaf Financial 8, LLC, Silverleaf Financial 7, LLC, and Steven H. Bergman of Richards Brandt Miller Nelson.⁵ The Certificate of Service listed the addresses for each Defendant. On June 30, 2014, counsel for Dayco Funding filed a second Certificate of Service, certifying that another copy of the Report and Recommendation had been mailed on that day to Shane Baldwin and Silverleaf Financial, LLC, Silverleaf Financial 8, LLC, Silverleaf Financial 7, LLC. The second Certificate of Service listed different addresses than those listed on the first Certificate of Service. Out of an abundance of caution regarding Defendants' right to object to the Report and Recommendation, the court has waited an additional sixteen days after the mailing of the second Certificate of Service, which occurred on June 30, 2014. No objections have been received from any of the Defendants.

Having reviewed the Report and Recommendation, along with the docket in this case, the court adopts the Report and Recommendation in its entirety. Accordingly,

IT IS HEREBY ORDERED that the Defendants (a) Shane Baldwin, an individual; (b) Silverleaf Financial, LLC, a Utah Limited liability company; (c) Silverleaf Financial 8, LLC, a Utah limited liability company; and (d) Silverleaf Financial 7, LLC, a Utah limited liability

⁴ Docket No. 4.

⁵ Docket No. 5.

company (collectively the “Defendants”) must appear in person before this court at the time and place shown below to answer questions under oath concerning their property.

Date: July 30, 2014

Time: 1:00 p.m.

Place: United States District Court, District of Utah
351 South West Temple
Courtroom 7.100
Salt Lake City, Utah 84101

IT IS HEREBY FURTHER ORDERED that the Defendants shall not sell, loan, give away, or otherwise dispose of any non-exempt property pending the hearing.

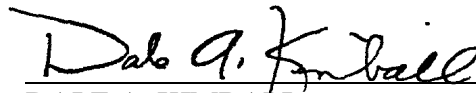
Additionally, costs, if any, and mileage, if allowed, will be assessed at the hearing depending upon the merits.

CONCLUSION

For the foregoing reasons, the court hereby APPROVES and ADOPTS the Magistrate Judge's Report and Recommendation [Docket No. 4]. The Motion for Supplemental Proceedings [Docket No. 2] is GRANTED, and, as set forth above, Defendants shall appear at the hearing on July 30, 2014 at 1:00 p.m. to answer questions under oath concerning their property.

DATED this 16th day of July, 2014.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge